

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CHARLES SALDARRIAGA,

Plaintiff,

-against-

THE CITY OF NEW YORK, NEW YORK CITY POLICE
DEPARTMENT, SERGEANT DET. WILLIAM J.
PLANETA, DET. ERIC BOLGER, DET. LEONARDO
MOSCOSO, and OFFICER MOHAMMAD F. HOSSAIN,

Defendants.

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NOTICE OF MOTION

25-CV-1115 (RPK) (JRC)

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, dated September 4, 2025, the annexed Declaration of Michael Futral, Esq., and the exhibits annexed thereto, and the prior pleadings and proceedings had herein, defendants City of New York, Sergeant Det. William J. Planeta, Det. Eric Bolger, and Det. Leonardo Moscoso (“Defendants”), will move before the Honorable Rachel P. Kovner, United States District Judge, on a date to be determined by the Court, at the United States Courthouse for the Eastern District of New York, located at 225 Cadman Plaza East, Brooklyn, New York 11201, for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure to dismiss Plaintiff’s Complaint against Defendants for failure to state a claim upon which relief can be granted, together with such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that opposition papers, if any, are to be served by October 2, 2025; and

PLEASE TAKE FURTHER NOTICE that reply papers, if any, are to be served by October 23, 2025.

Dated: New York, New York
September 4, 2025

MURIEL GOODE-TRUFANT
Corporation Counsel of the City of New York
*Attorney for Defendants Planeta, Bolger, and
Moscoso*
100 Church Street, Room
New York, New York 10007
(212) 356-1643

By: *Michael Futral* /s/
Michael Futral
Assistant Corporation Counsel
Special Federal Litigation Division

TO: Charles Saldarriaga
1-20 Astoria Blvd., Apt. 4H
Astoria, NY 11102